

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

August 3, 2005

IN RE:

**BELLSOUTH TARIFF FILING TO INTRODUCE
TRANSIT TRAFFIC SERVICE, TARIFF NO. 04-01259**

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**DOCKET NO.
04-00380**

ORDER ESTABLISHING ISSUES LIST AND PROCEDURAL SCHEDULE

This matter came before the Hearing Officer for a status conference on July 20, 2005. The Hearing Officer met with the parties, BellSouth Telecommunications, Inc. ("BellSouth") and the Tennessee Independent Rural Coalition (the "Coalition") (together, the "Parties), to establish an issues list and set a procedural schedule.

ISSUES LIST

On July 15, 2005, the Coalition and BellSouth each filed a proposed issues list. During the status conference, the Hearing Officer proposed that the Parties agree to a single joint issues list and suggested that the final issues list contain issues numbered 3, 4A, 4B, and 4C from BellSouth's proposed issues list and issues numbered 5, 6, 7, 9, 10, and 11 from the Coalition's proposed list. BellSouth and the Coalition agreed to the list proposed by the Hearing Officer and asked that issue numbered 3 from the Coalition's list also be included. The Hearing Officer agreed. The final issues list is set forth as Attachment 1.

PROCEDURAL SCHEDULE

On July 20, 2005, the Parties filed a Joint Agreed Procedural Schedule. Having read and considered the proposed schedule, the Hearing Officer finds the plan is reasonable. Accordingly, the proposed procedural schedule is approved.

IT IS THEREFORE ORDERED THAT:

1. The Final Issues List attached hereto as Attachment 1 is adopted.
2. The Joint Agreed Procedural Schedule submitted by the Parties on July 20, 2005 is accepted. The schedule is set forth in Attachment 2.

A handwritten signature in black ink, appearing to read "PAT Miller", with a long horizontal flourish extending to the right.

Pat Miller, Director
As Hearing Officer

FINAL ISSUES LIST
04-00380 (TRANSIT TRAFFIC TARIFF)

1. Does Tenn. Code Ann. § 65-5-101 (2004) govern the ICO's request for relief from a tariff in effect?
2. What types of transit traffic should be subject to transit charges?
3. Is BellSouth required to provide measurement of traffic when such traffic is originated on the network of the ICOs?
4. In what manner can BellSouth collect transit charges under the tariff?
5. What options are available to a Coalition member that chooses not to rely on BellSouth's Tariffed Transit Service? How do the Coalition members implement tandem office options other than dependence on BellSouth's Tariffed Transit Service?
6. Is the Intralata toll settlement process, including potentially the "netting" of charges, appropriate for collecting transit fees, or should the billing of transit charges be accomplished through a separate invoice procedure?
7. What information and documentation should BellSouth be required to provide to Coalition members to whom BellSouth's transit service charge may be assessed?
8. How will the Coalition members audit any monthly billing imposed by BellSouth for Tariffed Transit Services? How can the Coalition members determine the accuracy of any BellSouth billing of Tariffed Transit Service?
9. Which carrier should be responsible for providing compensation to BellSouth for the provision of the transit and switching services?
10. What treatment should be afforded ISP-Bound traffic?
11. What treatment should be afforded county-wide and metro-area calling with respect to BellSouth Tariffed Transit Service?

JOINT AGREED PROCEDURAL SCHEDULE
04-00380 (TRANSIT TRAFFIC TARIFF)

August 12, 2005	All Discovery Requests served (one copy filed with the Authority); proposed Protective Order(s) filed
September 1, 2005	Responses and Objections to discovery filed (one copy of responses filed with the Authority)
September 9, 2005	Motions to Compel due (if any)
September 16, 2005	Status Conference on discovery issues (if needed)
September 26, 2005	Supplemental Discovery Responses (if needed)
September 30, 2005	Direct testimony due (all parties) including matrix of issues reflecting parties' positions
October 3, 2005	Rebuttal testimony due (all parties)
October 5 or 6, 2005	Pre-Hearing Conference (if needed)
October 10-11, 2005	Hearing

All filings are due by 2:00 p.m. (central) on the dates indicated.